

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION of OIL, GAS and MINING
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801
(801) 538-5291

359-3940 Ax

50350045
TASK ID # 5783
cc: leslie

RECEIVED

DEC 26 2013

DIV. OF OIL, GAS & MINING

paulbaker@utah.gov

APPLICATION FOR TRANSFER
OF
NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

Application is hereby made to transfer the permit to commence small mining operations for the
1320 North Beck Street SLC UT 84116 project, permit # S/035 /0045, currently
operated by Utah Sand and Gravel L.L.C. (transferor)
to Shackleton's Endurance, LLC (transferee).

As used herein, TRANSFEROR refers to the current operator; TRANSFeree refers to the
proposed new operator; NOI refers to the Notice of Intention to Commence Small Mining
Operations; PERMIT refers to the approved (or accepted) NOI, including the reclamation
contract and reclamation surety.

Upon approval of the Application for Transfer:

1. The Transferor agrees to transfer all rights and obligations to operate under the terms of the NOI to the Transferee, The Transferor will not retain any rights to conduct small mining operations within the area covered by the approved NOI.
2. Both parties understand the transfer of the ***NOI is not complete until all the applicable requirements are met***, including the submittal and Division approval of an appropriate reclamation surety and a reclamation contract.
3. The transferee has read and has a copy of the current NOI.
4. The Transferee has inspected the site and is fully aware of all existing conditions and responsible for compliance with the conditions of the permit and the obligations regardless of the nature of the conditions at the site.
5. Transferee shall conduct large mining operations on lands included in the NOI in accordance with the Utah Mined Land Reclamation Act, (ACT) Sections 40-8-1 et seq., Utah Code Annotated, (2005, as amended), and the rules promulgated under the ACT (R647- et seq., and the approved NOI.
6. The Transferee shall provide a surety in a form and amount approved by the Division to assure reclamation of the lands affected by the mining operations.

The **Transferor** will remain liable for compliance at the mine site until this transfer application is approved.

The signatory below represents that he/she has authority to execute this transfer on behalf of the Transferor, if not a natural person. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFEROR:

UTAH SAND AND GRAVEL L.L.C.
Operator/Transferor Name

By WAYNE SAMUEL SMITH
Name of Authorized Officer (Typed or Printed)

Manager/owner
Title of Authorized Officer

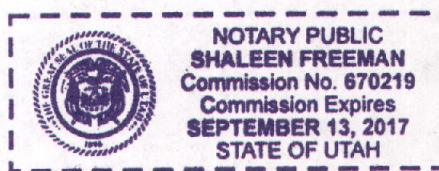
[Signature] 12-9-13
Officer's Signature Date

STATE OF Utah)

COUNTY OF Davis) ss:

On the 19 day of December, 2013, Wayne Samuel Smith personally appeared before me, who being by me duly sworn did say that he/she is an owner (owner, officer, director, partner, agent or other (specify)) of the Operator Utah Sand and Gravel L.L.C. and duly acknowledged that said instrument was signed on behalf of said Operator by authority of its bylaws, a resolution of its board of directors, or as may otherwise be required to execute the same with full authority and to be bound hereby.

[Signature]
Notary Public
North Salt Lake, UT
Residing at
9/13/2017
My Commission Expires:



NOTARY PUBLIC
SHALEEN FREEMAN
Commission No. 870219
Commission Expires
SEPTEMBER 13, 2017
STATE OF UTAH



The signatory below represents that he/she has authority to execute this transfer on behalf of the Operator/Transferee, if not a natural person; and the operator/transferee is a properly organized entity in good standing under the laws of Utah and the United States, is registered as an entity authorized to do business in the State of Utah. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFeree:

SHACKLETON'S ENDURANCE LLC

Operator/Transferee Name

By Linette Smith

Name of Authorized Officer (Typed or Printed)

OWNER/MANAGER

Title of Authorized Officer

LINETTE SMITH

Officer's Signature

12/19/2013

Date

STATE OF Utah)

COUNTY OF Davis) ss:

On the 19 day of December, 20 13, Linette Smith personally appeared before me, who being by me duly sworn did say that he/she is an owner (owner, officer, director, partner, agent or other (specify)) of the Operator Shackleton's Endurance LLC and duly acknowledged that said instrument was signed on behalf of said Operator by authority of its bylaws, a resolution of its board of directors, or as may otherwise be required to execute the same with full authority and to be bound hereby.

Shaleen Freeman

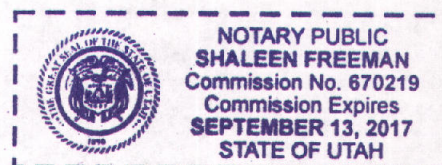
Notary Public

North Salt Lake, UT

Residing at

9/13/2017

My Commission Expires:



Wayne Smith → 022129191 - 801-397-9337
NTSA.
Shaleen.

Paulbaker@utah.gov.

